



Town of Hopkinton, NH

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SELECTMEN PUBLIC MEETING MINUTES MONDAY, AUGUST 15, 2011 Approved August 29, 2011

Chairman Jim O'Brien called a regularly scheduled business meeting of the Board of Selectmen to order at 5:30 PM on Monday, August 15, 2011.

Present:

Jim O'Brien, Chairman
Tom Congoran, Selectman (arriving at 5:38 pm)
George Langwasser, Selectman
Denis Goddard, Selectman
Neal Cass, Town Administrator
Robin Buchanan, Administrative Assessing Assistant

Absent: Bryan Pellerin

Public present: Merle Dustin, Ken Wilkens, Gary Rondeau, Everett Ellis, Charles Giacobbe

I. ADMINISTRATIVE

The Board approved the following:

Vendor Disbursement and Payroll Manifests
Building/Use Permit
For Review – Selectmen's Notes and Correspondence
For Signature – MS1 Extension

II. APPROVAL OF MINUTES

The Board reviewed the minutes of the Public Meeting August 1, 2011. Selectman Langwasser made a motion, seconded by Selectman Goddard to approve the minutes of the Public Meeting.

VOTE: O'Brien, Langwasser and Goddard voting
in favor of the motion; no votes against; motion passes
3-0.

The Board reviewed the minutes of the Non Public Meeting August 1, 2011, Session I. Selectman Goddard made a motion, seconded by Selectman Langwasser to approve the minutes of the Non Public Meeting.

VOTE: O'Brien, Langwasser and Goddard voting
in favor of the motion; no votes against; motion passes
3-0.

The Board reviewed the minutes of the Non Public Meeting August 1, 2011, Session II. Selectman Langwasser made a motion, seconded by Selectman Goddard to approve the minutes of the Public Meeting.

VOTE: O'Brien, Langwasser and Goddard voting
in favor of the motion; no votes against; motion passes
3-0.

III. PUBLIC APPOINTMENTS

Stuart Nelson and his attorney Mark Puffer were in today seeking an extension on a Building Permit that expires on September 14, 2011. Mr. Puffer states the foundation is in and it is capped off as required by the building permit. The septic system, temporary power, stone wall entrance and first floor walls have been completed. Mr. Puffer stated Mr. Nelson should have the second floor deck completed by the time the Building Permit expires. It has been a financial issue that has stopped Mr. Nelson from completing the home. He has been approved by the bank for financing. Mr. Puffer handed out photos.

Discussion ensued with regards to the distance between the Nelsons home and the Schochs home. Mr. Puffer stating the variance from the ZBA was for the driveway. The home is located exactly where it shows on the map. It was noted the home needs to be 339 feet away from the Schoch's home. Mr. Puffer stating the distance between the two homes was not the reason for the variance. Mr. Puffer stated Mr. Nelson has not been able to accurately measure the distance as the Schoch will not allow him on their property.

Board would like to have the distance between the two houses checked, as the expectation of the ZBA was that the houses be at least 339 ft apart. The Board asked Mr. Cass to have the building inspector go out and measure the distance. They will not extend the Building Permit if the house is closer than 339 feet.

Gary Rondeau was in to see the Board as his well has tested positive for lead for the first time since he has lived there. He currently owns 3 pieces property and he is worried that he will not be able to sell the vacant piece of property and also worries about the property he received when his father passed away. DES has stated they do not know where the lead is coming from and they sent a letter stating no further action by the town is required. Mr. Rondeau states they can no longer drink the water. He is coming to the town hoping a solution can be worked out, perhaps hooking up to the new well.

Discussion ensued with regards to what needs to be done. The Board will send all of the test results that Mr. Rondeau has had done over the years and forward them to Molly at the DES and Mr. Cass will contact Nobis for advice.

Jessica Bailey, Recreation Director, was in to speak to the Board about a part time position, 15-20 hours per week. Discussion ensued with regards to whether this issue should be non public. If discussion was about the position then they did not have to into non public. Currently, the position is filled by someone who is being paid through a CAP agency for the past 3 years. Mrs. Bailey feels the position has true value. Selectmen Goddard noted his concern with creating a new part time position, especially since wages have not gone up in the last two year. Mrs. Bailey would like to fund the position out of the revolving fund until December. She feels that she can fund the position from programs. Mr. Cass stated as a part time position, there are no benefits and it would have to be posted internally.

Selectmen Goddard made a motion to create the position of Administrative Assistant for the Recreation Department with the understanding that this position is part time without benefits and funded 100%

through the Recreation Revolving Fund and or other recreation funds, but not the General Fund. Selectmen Congoran seconded the motion.

VOTE: O'Brien, Congoran and Goddard voting
in favor of the motion; no votes against; Langwasser
abstaining; motion passes 3-0-1.

IV. PUBLIC FORUM

Charles Giacobbe, Sandy Beach resident states he cannot find the law that states the Town can tax the permanent structures at Sandy Beach. Selectmen O'Brien stated you will not find that. What you will find is an RSA stating all real estate is taxable. And permanent structures, dwellings are taxable, which includes those at Sandy Beach. Selectmen Langwasser noted the 4 conditions that the Supreme Court gave as a test of taxability: (1) Intend to be permanent; (2) Enclosed; (3) Stationary; (4) Used as a dwelling.

Everett Ellis, Sandy Beach resident inquired if he registered his camper here in Hopkinton if he could deduct that registration from the property tax. No is the answer. The only way to avoid the tax is to move everything off the campsite.

Merle Dustin read a prepared statement with regards to the Bandstand and lawn area (Statement attached). She further noted Dustin Road has been paved and it is great.

Ken Wilkens inquired if anyone is enforcing the new Sign Ordinances and he sees many violations. The Board asked Mr. Wilkens to let them or Mr. Cass know the location of the signs and the sign will be removed.

Merle Dustin stated that Mr. Lewellen stopped at the bandstand and had an encounter with a group of older teenagers, with one being very aggressive. It was reported to the police. Can anything be done? Selectmen O'Brien stated it is a public place and they have the right to be there but not to be destructive or using bikes or skateboards on the bandstand.

V. OLD BUSINESS

Tax Deeding Update: Mr. Cass states he has been contacted and scheduled meeting with all but two. Agreements are being signed.

Employee Training Review: Mr. Cass stated the Board has the outline. Discussion ensued with regards to the process and possible guideline for rating employees.

VI. NEW BUSINESS

2011 Budget Review: Mr. Cass stated things have not changed much since the last report. Discussion ensued with regards to the Transfer Station Revenue. Mr. Cass stated many people have their trash and recyclables picked up and transported out of town.

VII. OTHER BUSINESS

Town Administrator Updates: Staff/School Summer Staff Appreciation Lunch was held on August 11, 2011. About 50 people attended and it was very successful event.

Intersection at Spring/Kearsarge and Park Ave-there have been 10 accidents. Selectmen Langwasser states it is the sight line that is the problem.

New Hampshire Retirement has dropped their rates after raising them.

Selectmen Congoran made a motion to go into non public session with regards to RSA 91-A:3 II (a) personnel. Selectmen Goddard seconded the motion.

ROLL CALL VOTE: O'Brien: yes; Langwasser: yes:
Congoran: yes; Goddard: yes.

The Board entered non public session at 7:50 pm. There will be no further business conducted after the non public meeting.

Respectfully submitted,

Robin Buchanan
Administrative Assessing Assistant

These minutes are not official until approved by the Board of Selectmen at their meeting.